

1 LATHAM & WATKINS LLP
2 Sadik Huseny (*pro hac vice*)
3 *sadik.huseny@lw.com*
4 Amit Makker (*pro hac vice*)
5 *amit.makker@lw.com*
505 Montgomery Street, Suite 2000
4 San Francisco, CA 94111-6538
5 Telephone: (415) 391-0600

6 ASIAN AMERICANS ADVANCING
7 JUSTICE-AAJC
8 Niyati Shah (*pro hac vice*)
9 *nshah@advancingjustice-aajc.org*
10 Terry Ao Minnis (*pro hac vice*)
11 *tminnis@advancingjustice-aajc.org*
12 1620 L Street NW, Suite 1050
13 Washington, DC 20036
14 Telephone: (202) 296-2300

15 Additional Counsel Listed on Signature Page

16 Attorneys for Plaintiff Arizona Asian
17 American Native Hawaiian and Pacific
18 Islander for Equity Coalition

19 **UNITED STATES DISTRICT COURT**
20 **DISTRICT OF ARIZONA**

21 Mi Familia Vota, et al.,
22 Plaintiffs,
23 v.
24 Adrian Fontes, in his official capacity as
25 Arizona Secretary of State, et al.,
26 Defendants,
27 and
28 Speaker of the House Ben Toma and Senate
President Warren Petersen,
Intervenor-Defendants.

Case No. 2:22-cv-00509-SRB (Lead)

**PLAINTIFFS' RESPONSE TO AND
MOTION TO OVERRULE
DEFENDANTS' SPECIFIC
OBJECTIONS TO DEPOSITION
DESIGNATIONS**

No. CV-22-00519-PHX-SRB
No. CV-22-01003-PHX-SRB
No. CV-22-01124-PHX-SRB
No. CV-22-01369-PHX-SRB
No. CV-22-01381-PHX-SRB
No. CV-22-01602-PHX-SRB
No. CV-22-01901-PHX-SRB

29 Living United For Change In Arizona, et al.,
30 Plaintiffs,

1 v.
2

3 Adrian Fontes, in his official capacity as
4 Arizona Secretary of State, et al.,

5 Defendant,

6 and

7 State of Arizona, et al.,

8 Intervenor-Defendants,

9 and

10 Speaker of the House Ben Toma and Senate
11 President Warren Petersen,

12 Intervenor-Defendants.

13 Poder Latinx,

14 Plaintiff,

15 v.
16

17 Adrian Fontes, in his official capacity as
18 Arizona Secretary of State, et al.,

19 Defendants,

20 and

21 Speaker of the House Ben Toma and Senate
22 President Warren Petersen,

23 Intervenor-Defendants.

24 United States of America,

25 Plaintiff,

26 v.
27

28 State of Arizona, et al.,

Defendants,

1 and

2 Speaker of the House Ben Toma and Senate
3 President Warren Petersen,

4 Intervenor-Defendants.

5 Democratic National Committee, et al.,

6 Plaintiffs,

7 v.

8 Adrian Fontes, in his official capacity as
9 Arizona Secretary of State, et al.,

10 Defendants,

11 and

12 Republican National Committee,

13 Intervenor-Defendant,

14 and

15 Speaker of the House Ben Toma and Senate
16 President Warren Petersen,

17 Intervenor-Defendants.

18 Arizona Asian American Native Hawaiian
19 And Pacific Islander For Equity Coalition,

20 Plaintiff,

21 v.

22 Adrian Fontes, in his official capacity as
23 Arizona Secretary of State, et al.,

24 Defendants,

25 and

26 Speaker of the House Ben Toma and Senate
27 President Warren Petersen,

28

Intervenor-Defendants.

Promise Arizona, et al.,

Plaintiffs,

V.

Adrian Fontes, in his official capacity as Arizona Secretary of State, et al.,

Defendants,

and

Speaker of the House Ben Toma and Senate
President Warren Petersen,

Intervenor-Defendants.

1 Pursuant to the Court's direction during trial on November 6, 2023, the
2 Consolidated Plaintiffs bring this Motion respectfully requesting that the Court overrule
3 objections of the State, Attorney General, Republican National Committee, and Legislators
4 (collectively, "Defendants") to specific deposition designations offered by Plaintiffs.
5 Plaintiffs attempted to confer with Defendants regarding the number of objections
6 addressed in the Exhibit A accompanying charts, but were unable to reach any resolution
7 or agreement to narrow Defendants' objections. Plaintiffs had hoped this would be a
8 narrower set after conferring with Defendants, and believe there is still opportunity and
9 room to narrow both objections and designations, and will endeavor to do so with
10 Defendants. But given the deadline, Plaintiffs herein identify their responses to Defendants
11 current outstanding objections.

12 Attached as Exhibit A is Defendants' chart from the Joint Proposed Pre-Trial Order
13 (Dkt. 571-7), modified by adding another column with Plaintiffs' responses to the
14 objections; specifically, Plaintiffs have added the column labeled "Plaintiffs' Response,"
15 which is also highlighted, and removing designations without objection. Plaintiffs'
16 responses refer to specific paragraphs of their previously-filed Motion (Dkt. 624, attached
17 hereto as Exhibit B for convenience) (indicated by, e.g., "*See Motion Section*" in the chart),
18 but also include information for the specific objection(s) in the chart. Plaintiffs also note
19 Defendants' chart from the Joint Proposed Pre-Trial Order, in some instances attributes
20 larger ranges of testimony than Plaintiffs actually designated. The correct designations for
21 review are those highlighted in Plaintiffs' designations filed with the Joint Pre-Trial Order
22 (Dkt. 571-6). Plaintiffs anticipate that the parties will file final designations reflecting
23 agreements of the parties and the Court's rulings at a later date.

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1 Dated: November 8, 2023

Respectfully submitted,

2 By /s/ Amit Makker

3 LATHAM & WATKINS LLP
4 Sadik Huseny (*pro hac vice*)
5 Amit Makker (*pro hac vice*)
6 505 Montgomery Street, Suite 2000
7 San Francisco, CA 94111-6538
8 Telephone: (415) 391-0600
9 Facsimile: (415) 395-8095

10 ASIAN AMERICANS ADVANCING
11 JUSTICE-AAJC
12 Niyati Shah (*pro hac vice*)
13 Terry Ao Minnis (*pro hac vice*)
14 1620 L Street NW, Suite 1050
15 Washington, DC 20036
16 Telephone: (202) 296-2300
17 Facsimile: (202) 296-2318

18 SPENCER FANE
19 Andrew M. Federhar (No. 006567)
20 2415 East Camelback Road, Suite 600
21 Phoenix, AZ 85016
22 Telephone: (602) 333-5430
23 Facsimile: (602) 333-5431

24 *Attorneys for Plaintiff Arizona Asian
25 American Native Hawaiian and Pacific
26 Islander for Equity Coalition*

27
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CERTIFICATE OF SERVICE

I hereby certify that on this 8th day of November, 2023, I caused the foregoing document to be filed electronically with the Clerk of Court through the CM/ECF System for filing; and served on counsel of record via the Court's CM/ECF system.

/s/ Amit Makker
Amit Makker